बिहार में स्वतंत्रता सेनानियों की पेंशन का भुगतान

7751. **श्री रामदेव भंडारी:** क्या गृह मंत्री यह बताने की कृपा करेंगे कि:

(क) बिहार में उन व्यक्तियों के संबंध में ब्यौरा क्या है जिनके मामले में केन्द्रीय सरकार द्वारा विगत में स्वतंत्रता सेनानी पेंशन स्वीकृत की गई थी किन्तु जिसका अभी तक भुगतान प्रारम्भ नहीं हुआ है;

(ख) क्या सरकार कुछ मामलों में पुनरीक्षण कर रही है;

(ग) यदि हां, तो उसका ब्यौरा क्या है;

(घ) क्या सरकार तीन वर्षों से अधिक विलम्ब को देखते हुए ऐसे मामलों का शीघ्र निष्पादन कर भुगतान का आदेश देगी; और

(ङ) यदि हां, तो कब तक, यदि नहीं, तो इसके क्या कारण हैं?

गृह मंत्रालय में राज्य मंत्री (श्री पी०एम० सईद): (क) से (ग) उपलब्ध रिकार्ड के अनुसार, ऐसा कोई मामला नहीं है जिसमें पेंशन प्रदान करने के लिए सरकार द्वारा उपयुक्त स्वीकृति आदेश जारी किए गए हों, लेकिन अभी तक अदागयी शुरु नहीं हुई हो। सभी मामलों में पेंशन अस्थायी आधार पर स्वीकृत की जाती है और इसकी पुनरीक्षा की जा सकती है। बाद में यह सिद्ध होने पर कि स्वीकृति गलती से जारी की गयी है। या जाली दस्तावेजों के आधार पर पेंशन प्राप्त की गयी है तो पेंशन निलम्बित/रद्द की जाती है।

(घ) और (ङ) प्रश्न नहीं उठता है।

Demand for a Separate High Court for the State of Manipur

7752. SHRI W. KULABIDHU SINGH: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Manipur Bar Association and the people of Manipur have been demanding a separate High Court for the State of Manipur for the last more than ten years?

(b) if so, what are the impediments to fulfil this desire of the people; and

(c) whether it is a fact that the Chief Justice of the Guwahati High Court, (The High Court of Assam, Nagaland, Meghalaya, Manipur, Arunachal Pradesh, Mizoram and Tripura) has recommended setting up of a separate High Court for the State of Manipur, as the functioning of the present permanent bench of this High Court of Imphal, is inconvenient and more expensive?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P.M. SAYEED): (a) to (c) It has been decided, in principles, that there should be separate High Courts for the States, including Manipur, in the North Eastern Region, and that in the first instance permanent Benches of the Guwahati High Court be established in the Capital of these States, except Assam, after the requisite infrastructural facilities have been provided by the state Govts. Accordingly, a permanent Bench of the Guwahati High Court has been established at Imphal in Manipur with effect from 21.01.1992.

Presence of Kashmiri Militants in Himachal Pradesh

7753. SHRI JAGMOHAN:
SHRI KRISHAN LAL SHARMA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that eight Kashmiri militants who were working at the Nathpa Jhakhri Power project in Shimla, were recently arrested;

(b) whether it is also a fact that thousands of Kashmiri Militants have sneaked into Himachal Pradesh in the guise of labourers and porters and have scattered all over the State;

(c) whether it is also a fact that even after the terrorist related incidents in Chamba, Government have not taken any steps to monitor the movement of these Kashmiri labourers;

(d) if so, the reasons for this serious ommission; and

(e) steps being taken by Government

to tighten its vigil in the State and also to make it terrorist free?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) According to information furnished by the State Govt. of Himachal Pradesh, fifteen Kashmiri workers were picked up on a tip off, from various sites of Natha Jhakri Project by Punjab and Himachal Pradesh police, during 15-20 May, 1994 for interrogation. After interrogation, it was found that six of them were having links with militants of Kashmiri and are presently in police custody.

(b) No, Sir.

(c) to (e) The State Government has taken several steps to tackle the menace of terrorism in the State which include strengthening of the police force in Chamba District, establishment of Check posts at important locations, police verification of Kashmiri labour and tightening of security of important installations.

Amendment to Section 309 of Indian Penal Code

7754. SHRIMATI KAMLA SINHA:
DR. BAPU KALDATE:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) what are the overall implications of the recent Supreme Court's judgement granting right to commit suicide and what is the estimated number of attempted suicide cases anticipated to be dropped as a consequence thereof in various courts in the country; and

(b) whether an amendment to Section 309 of Indian Penal Code is proposed to be brought by Government?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) and (b) The Supreme Court of India in its judgement dated 26th April, 1994 delivered in P. Rathinam/Nagbhushan Patnaik Vs. Union of India and others has declared section 309 of the Indian Penal Code as violative of Article 21 of the Constitution of India. As a result, 'attempt to commit suicide' has ceased to be an offence under the Indian Penal Code. Incidentally, the Law Commission of India in its Fourty-Second Report had also recommended the repeal of Section 309. The Indian Penal Code (Amendment) Bill, 1978 which was passed by the Rajya Sabha on 23rd November, 1978 sought, inter-alia, to delete this section from the Code. The Bill, however, lapsed due to dissolution of the Lok Sabha in 1979. Hence the Section could not be deleted.

Information regarding the number of cases that may have to be dropped as a result of the Supreme Court Judgement will be available with the State Governments. These cases may be different stages, like, those under investigation,, those under trial, those under appeal etc. Hence it is not practicable to give any estimate of the number of such cases.

Vacant Posts of DIG Rank Officers in Intelligence Bureau

7755. SHRI PARMESHWAR KUMAR AGGARWALLA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number DIG rank posts which are lying vacant in the Intelligence Bureau as on date;

(b) whether in view of the fact that the efficiencey of the services is maintained in the interest of the country, Government would consider promotion of IPS Officers of 1979-1980 batches on adhoc basis;

(c) whether such an arrangement is possible till the drawing of a regular panel for promotion to those posts; and

(d) if not, the reasons therefor?

THE MINISTER OF STATE IN THE